

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Epigenomics AG

Application No./Patent No.: 10/581,224

Filed/Issue Date: June 1, 2006

Entitled: METHODS AND NUCLEIC ACIDS FOR THE ANALYSIS OF GENE EXPRESSION ASSOCIATED WITH THE DEVELOPMENT OF PROSTATE CELL PROLIFERATIVE DISORDERS

Epigenomics AG, a German corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- ☒ the assignee of the entire right, title, and interest, or
- ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____

To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____

To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____

To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.09.]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]
Signature

November 9, 2007

Date

Dr. Kurt Berlin

Printed or Typed Name

Exec. VP & CSO

Title

 **epigenomics AG**

Kleine Präsidentenstr. 1 • D-10178 Berlin
phone: +49 30 74345 0 • fax: +49 30 74345 555

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT

WHEREAS, we, J. Kevin Day, residing at 3182 South 1075 West, Syracuse, Utah 84075; Susan Cottrell, residing at 522 NE 84th Street, Seattle, Washington 98115; Jürgen Distler, residing at Herderstrasse 24, 12163 Berlin, Germany; Andrew Morotti, residing at 316 Bellevue Avenue East #402, Seattle, Washington 98102; Su Yamamura, residing at 15349 SE 42nd Street, Bellevue, Washington 98006; Sharon Dekker, residing at 19904 SW Monson Street, Beaverton, Oregon 97006; Yreka Ocampo, residing at 709 South Twin Oaks Valley Road, Apartment 477, San Marcos, California 92078; and Theo De Vos, residing at 1208 NE 100th Street, Seattle, Washington 98125 (hereinafter referred to as ASSIGNORS), are the joint inventors named in an application for a Letters Patent of the United States entitled METHODS AND NUCLEIC ACIDS FOR THE ANALYSIS OF GENE EXPRESSION ASSOCIATED WITH THE DEVELOPMENT OF PROSTATE CELL PROLIFERATIVE DISORDERS, said application nationalized from PCT/US04/040289 filed December 1, 2004, and assigned Application No. 10/581,224, and claiming priority to EP 03090414.8 filed December 1, 2003; EP 04090040.9 filed February 10, 2004; EP 4090187.8 filed May 10, 2004; and EP 04090292.6 filed July 21, 2004;

AND, WHEREAS, Epigenomics, AG, a German corporation, having administrative offices at Kleine Praesidentenstrasse 1, 10178 Berlin, Germany (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire right, title and interest in the invention described in the said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE, our entire right, title to and interest in said application and said inventions and all corresponding foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents

on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

October 4, 2007
Date

By J. Kevin Day
J. Kevin Day

STATE OF Utah)
COUNTY OF Salt Lake) ss.

I certify that I know or have satisfactory evidence that J. Kevin Day is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Notary Public
JENNIFER DATTAGE
495 West Temple
Salt Lake City Utah 84115
My Commission Expires
August 20, 2011
State of Utah

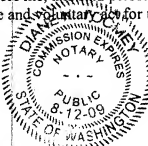
Dated 10/04/07
Signature of Jennifer Dattage
Notary Public
Printed Name Jennifer Dattage
My appointment expires 08/20/2011

10/11/2007
Date

By Susan Cottrell
Susan Cottrell

STATE OF Washington)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that Susan Cottrell is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 10/11/2007
Signature of Diane K. Toomey
Notary Public
Printed Name Diane K. Toomey
My appointment expires 8-12-2009

Executed in _____, this _____ day of _____, 2007.

Jürgen Distler

May 17, 2007
Date

By A. Morotti
Andrew Morotti

STATE OF Washington)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that Andrew Morotti is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated May 17, 2007
Signature of [Signature]
Notary Public
Printed Name Diane K. Toomey
My appointment expires 5/17/07

5/16/07
Date

By [Signature]
Su Yamamura

STATE OF WA)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that Su Yamamura is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated May 16, 2007
Signature of [Signature]
Notary Public
Printed Name Diane K. Toomey
My appointment expires 8-12-2009

Date 11/08/07

By Sharon Dekker
Sharon Dekker

STATE OF Oregon)
COUNTY OF Multnomah) ss.

I certify that I know or have satisfactory evidence that Sharon Dekker is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 11/8/07
Signature of Sarah Hathaway
Notary Public
Printed Name Sarah Hathaway
My appointment expires May 25, 2009

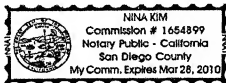
Date 10/18/07

By Yreka Ocampo
Yreka Ocampo

STATE OF California)
COUNTY OF San Diego) ss.

I certify that I know or have satisfactory evidence that Yreka Ocampo is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated October 18, 2007
Signature of Nina Kim
Notary Public
Printed Name Nina Kim
My appointment expires May 28, 2010



5/16/07
Date
STATE OF WA)
COUNTY OF King) ss.

By Theo De Vos

I certify that I know or have satisfactory evidence that Theo De Vos is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 5-16-07
Signature of _____
Notary Public [Signature]
Printed Name Diane Toomey
My appointment expires 8-12-09



ASSIGNMENT

WHEREAS, we, J. Kevin Day, residing at 3182 South 1075 West, Syracuse, Utah 84075; Susan Cottrell, residing at 522 NE 84th Street, Seattle, Washington 98115; Jürgen Distler, residing at Herderstrasse 24, 12163 Berlin, Germany; Andrew Morotti, residing at 316 Bellevue Avenue East #402, Seattle, Washington 98102; Su Yamamura, residing at 15349 SE 42nd Street, Bellevue, Washington 98006; Sharon Dekker, residing at 19904 SW Monson Street, Beaverton, Oregon 97006; Yreka Ocampo, residing at 709 South Twin Oaks Valley Road, Apartment 477, San Marcos, California 92078; and Theo De Vos, residing at 1208 NE 100th Street, Seattle, Washington 98125 (hereinafter referred to as **ASSIGNORS**), are the joint inventors named in an application for a Letters Patent of the United States entitled METHODS AND NUCLEIC ACIDS FOR THE ANALYSIS OF GENE EXPRESSION ASSOCIATED WITH THE DEVELOPMENT OF PROSTATE CELL PROLIFERATIVE DISORDERS, said application nationalized from PCT/US04/040289 filed December 1, 2004, and assigned Application No. 10/581,224, and claiming priority to EP 03090414.8 filed December 1, 2003; EP 04090040.9 filed February 10, 2004; EP 4090187.8 filed May 10, 2004; and EP 04090292.6 filed July 21, 2004;

AND, WHEREAS, Epigenomics, AG, a German corporation, having administrative offices at Kleine Praesidentenstrasse 1, 10178 Berlin, Germany (hereinafter referred to as **ASSIGNEE**) is desirous of acquiring the entire right, title and interest in the invention described in the said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE, our entire right, title to and interest in said application and said inventions and all corresponding foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents

on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

Date By _____
J. Kevin Day

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that J. Kevin Day is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____
My appointment expires _____

Date By _____
Susan Cottrell

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Susan Cottrell is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____
My appointment expires _____

Executed in Berlin, this 4th day of July, 2007.

Jürgen Disler
Jürgen Disler

Date

By _____
Andrew Morotti

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Andrew Morotti is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____
My appointment expires _____

Date

By _____
Su Yamamura

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Su Yamamura is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____
My appointment expires _____

Date

By _____
Sharon Dekker

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Sharon Dekker is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____
My appointment expires _____

Date

By _____
Yreka Ocampo

STATE OF _____)
) ss.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that Yreka Ocampo is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____
Signature of _____
Notary Public _____
Printed Name _____
My appointment expires _____

Date

STATE OF _____)

) ss.

COUNTY OF _____)

By _____
Theo De Vos

I certify that I know or have satisfactory evidence that Theo De Vos is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of _____

Notary Public _____

Printed Name _____

My appointment expires _____